REMARKS

This Amendment and Request for Reconsideration is submitted in response to the Office Action mailed on 18 October 2007.

In the present Amendment, the Applicant amends claims 1-2, 4-6, 9, 11-14, 16-19, and 21; no claims have been added or canceled. The Applicant respectfully requests entry of the amendment and reconsideration of the claims as amended. The Applicant submits that no new matter has been entered; the amendment is fully supported by the application as originally filed.

In the Office Action of 18 October 2007, the Examiner rejected claims under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,081,731 to Boltz et al. in view of U.S. Patent Application Publication No. US 2002/0165012A1 to Kirbas et al. In response, the Applicant respectfully disagrees with the claim rejections and submits that the claims as amended are novel and non-obvious over the prior art of record for at least the following reasons.

The present application is directed to restricting particular long distance telephone calls made from a wireless communication device with use of a host enterprise server. The host enterprise server is connected in a private communication network of an enterprise which is not part of any wireless communication network within which the wireless device is configured to operate. The wireless device is operative to regularly perform data synchronization, over a wireless link of a wireless communication network, for user data items of a personal information manager application of the wireless device and corresponding user data items stored in association with the host enterprise server. The wireless device is further operative to receive, over a wireless link of the wireless communication network, long distance call restriction information from the same host enterprise server system of the private communication network. The long distance restriction information includes information indicative of one or more allowable/disallowable country codes or area codes. The long distance call restriction

information is stored in a user profile which is unique to the individual and being one of a plurality of user profiles for individuals of the enterprise. The long distance call restrictions may be, for example, managed by an IT department of a corporation which has authority or control over the wireless device.

The present invention as defined by the amended independent claims discussed is advantageous over the prior art of record in that the same host enterprise server system of the enterprise that is utilized to regularly perform data synchronization for user data items of a personal information manager application (e.g. e-mail message data items or calendar data items) to also provide *private* control for restricting long distance calls from the wireless device. Such private control is separate from the governing wireless and telephony network, provided a flexible and convenient manner for enterprises such as companies and corporations, in a consolidated and centralized fashion.

In order for claims to be properly rejected under 35 U.S.C. § 103(a), the prior art in combination must teach or suggest each and every limitation of the claims. There must also be a proper obviousness/non-obviousness assessment that includes some adequate reasoning and/or demonstration that one ordinarily skilled in the art would have combined the teachings of the references to produce that which is claimed.

1.   The Prior Art Relied Upon Do Not Teach Or Suggest A Host Enterprise Server Of A Private Communication Network Which Is Not Part Of Any Wireless Communication Network Within Which The Wireless Device Is Configured To Operate. The prior art relied upon by the Examiner do not teach or suggest a host enterprise server of a private communication network which is not part of any wireless communication network within which the mobile device is configured to operate. The host enterprise server of the present application is one that may be connected in a private communication network of an enterprise (e.g. a business or corporation). Such private network is outside of and not part of any wireless communication network for the wireless device.

With respect to these limitations, the Examiner makes reference to Boltz et al. in column 2 at lines 50-53 and column 3 at lines 10-20, and indicates that "service

area/network 10 which is the home network is a different service area from service area/network 12 the visitor network).” Such network, however, is indeed within and part of a wireless network within which the wireless device is configured to operate. Boltz et al. teaches the use of a database in the SS7 signaling network (not a private network of an enterprise) or other public databases/networks. Thus, private control by the enterprise may not be easily obtained in Boltz et al. Finally, Boltz et al. do not even relate to area codes and country codes for long distance call restriction, but rather to a Selective Carrier Denial feature.

For these reasons alone, and in combination with the other stated reasons, the claims are allowable over the prior art of record. The Applicant respectfully requests the Examiner to withdraw the rejections and allow the claims as amended.

2. <u>The Prior Art Relied Upon Do Not Teach Or Suggest A Host Enterprise Server Which Operates To Regularly Perform Data Synchronization For User Data Items Of A Personal Information Manager (PIM) Of the Wireless Device</u>. The prior art relied upon by the Examiner also do not teach or suggest a host enterprise server which operates to regularly perform data synchronization for user data items (e.g. e-mail or calendar items) of a personal information manager of the wireless device.

One ordinarily skilled in the art will readily appreciate the meaning of *synchronization* or *data synchronization* of user data items between two devices via a wireless communication network. Further, one ordinarily skilled in the art will readily appreciate the meaning of a *Personal Information Manager* (PIM) application of a wireless device. If the Examiner is broadly interpreting such terminology in any other manner, the Applicant respectfully submits that such interpretation would be <u>unreasonable</u>.

To help explain, the Applicant attaches a published encyclopedia explanation of “personal information manager” from Wikipedia, a popular online encyclopedia source (see Attachment #1). As stated therein, “[a] personal information manager (PIM) is a type of application software that functions as a personal organizer. As an information

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management tool, a PIM's purpose is to facilitate the recording, tracking, and management of certain types of 'personal information'." This encyclopedia explanation of "personal information manager" also makes reference to the term "synchronization" as used in this relevant context. The reference continues to state that "[s]ome PIM software products are capable of synchronizing data with another PIM over a computer network."

As apparent, the prior art relied upon by the Examiner does not teach or suggest such limitations. With respect to these limitations, the Examiner makes reference to Boltz et al. in column 3 at lines 30—52. In that reference, however, Boltz et al. merely discuss communications within the network between MSC, HLR, and VLR. It is clear to one ordinarily skilled in the art that Boltz et al. do not teach or suggest "data synchronization" or a "personal information manager."

The Examiner previously asserted in the Office Action of 04 June 2007 that Kirbas et al. teaches or suggests such data item synchronization. The Applicant respectfully disagrees, however, for reasons already given. In Kirbas et al. in paragraph 3 at lines 10-14 and paragraphs 26-27 (port 190), no data synchronization between data items is performed over a wireless communication network. Further, the information that is described as being programmed in the device of Kirbas et al. is long distance information, not data items of a personal information manager application for data synchronization. Even further, there is no teaching or suggestion in Kirbas et al. to perform data synchronization of long distance information.

For these reasons alone, and in combination with the other stated reasons, the claims are allowable over the prior art of record. The Applicant respectfully requests the Examiner to withdraw the rejections and allow the claims as amended.

3.   The Prior Art Relied Upon Do Not Teach Or Suggest A Host Enterprise Server Which Operates To Both Regularly Perform Data Synchronization With As Well As Communicate Long Distance Call Restriction Information To A Wireless Device Via A Wireless Network. Further, the prior art relied upon by the Examiner do not teach or suggest a host enterprise server which operates to both regularly perform data

synchronization in connection with a personal information manager application as well as communicate long distance call restriction information to a wireless device with a wireless network.

As described earlier above, the prior art relied upon by the Examiner do not teach or suggest a host enterprise server which operates to regularly perform data synchronization for user data items of a personal information manager application of a wireless device. It therefore follows that the prior art relied upon cannot teach or suggest a host enterprise server which operates to <u>both</u> perform data synchronization for a personal information manager and communicate long distance call restriction information to a wireless device.

In addition, as mentioned above, the technology focus in Boltz et al. is that of "Selective Carrier Denial" (SCD) (e.g. see 1:30-55) which is specifically used to prohibit long distance service for non-paying subscribers (e.g. see 1:39). Note that Boltz et al. teach the denial of <u>all</u> toll calls or toll calls associated with one or more particular carriers (e.g. AT&T, Sprint, etc.) associated with a wireless device. The information utilized to achieve this may include carrier identification information (e.g. see 4:45-53). The call prohibition technique taught in Boltz et al. is <u>not</u> selective in that the network information does not provide for any true identification of particular country codes or area codes to be restricted or allowed. There are <u>no</u> means in Boltz et al. to provide for particular selectivity in long distance calling, and there would be no reason to provide for such selectivity in the teachings of Boltz et al.

As apparent, Boltz et al. not only fails to teach or suggest data synchronization for a personal information manager, but also fails to teach or suggest the communication of long distance call restriction information having country codes/area codes to a wireless device.

Boltz et al. do not even teach or suggest the use of such information (i.e. country codes/area codes) in a comparison step performed by the wireless device itself. In fact, the technique of Boltz et al. requires that the wireless devices transmit the call requests to the network for each and every call attempt, even when the call attempts will be denied.

On the other hand, one embodiment of the present application involves a comparison of country codes/area codes by the wireless device itself, and long distance calls to be allowed or restricted by the wireless device itself. This way, the wireless devices do not unduly burden the network with requests and corresponding responses for each call attempt.

The teachings of Kirbas et al., for example, cannot simply be combined with the teachings of Boltz et al. as there is no adequate suggestion or motivation to do so. For one, there is no adequate suggestion or motivation to use e.g. specific area codes in the SCD feature of Boltz et al. It is an important objective to implement the SCD feature in Boltz et al. (see e.g. 1:30-55). Therefore, if the teachings of Boltz et al. were modified as suggested, the primary intent of Boltz et al. (i.e. the selective carrier denial feature) would be overlooked or defeated. Secondly, Kirbas et al. teach long distance information, but only mentions in passing that "the instruction set and the database can be downloaded via the antenna 210 of the transceiver 140" (see Kirbas et al. in paragraph 26 at lines 5-8). Kirbas et al. otherwise mention little if anything regarding where the information may be obtained from, especially with respect to wireless network techniques.

For these reasons alone, and in combination with the other stated reasons, the claims are allowable over the prior art of record. The Applicant respectfully requests the Examiner to withdraw the rejections and allow the claims as amended.

4.   There Is No Adequate Reason Why One Ordinarily Skilled In The Art Would Have Modified The Teachings Of Boltz Et Al. With The Teachings Of Kirbas Et Al.   There is no adequate reason why one ordinarily skilled in the art would have modified the teachings of Boltz et al. with the teachings of Kirbas et al. to produce that which is claimed.

For proper rejections under 35 U.S.C. Sect. 103(a), there must also be a proper obviousness/non-obviousness assessment that includes some adequate reasoning and/or demonstration that one ordinarily skilled in the art would have combined the teachings of

the references to produce that which is claimed. When considering various prior art teachings for an obviousness/non-obviousness determination under §103,

> the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or non-obviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unsolved needs, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter sought to be patented. *Graham vs. John Deere Co. of Kansas City*, 383 U.S. 1, pp 17-18 (1966).

In this analysis, a functional approach may be taken which asks whether the improvement of the presented invention is more than a predictable use of prior art elements according to their established functions. It is also helpful and instructive to consider whether there is any teaching, suggestion, or motivation to combine the teachings of the references, either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art, in a flexible and non-rigid manner. The reason or evidence of a motivation to combine teachings need not be found explicitly in the prior art references, as one may also "look to interrelated teachings of multiple patents; the effects of demands know to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art." *KSR Int'l Co. v. Teleflex Inc. et al.*, 127 S.Ct. 1727, at 1740-41.

In the present case, there is no adequate reason why one ordinarily skilled in the art would have modified the teachings of Boltz et al. with the teachings of Kirbas et al. to produce that which is claimed. The technology focus in Boltz et al. is that of "Selective Carrier Denial" (SCD) (e.g. see 1:30-55) which is specifically used to prohibit long distance service for non-paying subscribers (e.g. see 1:39). Note that Boltz et al. teach the denial of all toll calls or toll calls associated with one or more particular carriers (e.g. AT&T, Sprint, etc.) associated with a wireless device. The information utilized to achieve this may include carrier identification information (e.g. see 4:45-53). The call prohibition technique taught in Boltz et al. is not selective in that the network information

does not provide for any true identification of particular country codes or area codes to be restricted or allowed. There are no means in Boltz et al. to provide for particular selectivity in long distance calling as claimed, and there would be no reason to provide for such selectivity in the teachings of Boltz et al.

Boltz et al. also do not teach or suggest the use of such information (i.e. country codes/area codes) in a comparison step performed by the wireless device itself. In fact, the technique of Boltz et al. requires that the wireless devices transmit the call requests to the network for each and every call attempt, even when the call attempts will be denied. On the other hand, one embodiment of the present application involves a comparison of country codes/area codes by the wireless device itself, and long distance calls to be allowed or restricted by the wireless device itself. This way, the wireless devices do not unduly burden the network with requests and corresponding responses for each call attempt.

The teachings in Kirbas et al. cannot simply be combined with the teachings of Boltz et al., as there is no adequate suggestion or motivation to do so. For one, there is no adequate suggestion or motivation to use e.g. specific area codes in the SCD feature of Boltz et al. It is an important objective to implement the SCD feature in Boltz et al. (see e.g. 1:30-55). Therefore, if the teachings of Boltz et al. were modified as suggested, the primary intent of Boltz et al. (i.e. the selective carrier denial feature) would be overlooked or even defeated. Secondly, Kirbas et al. teach long distance information, but only mentions in passing that "the instruction set and the database can be downloaded via the antenna 210 of the transceiver 140" (see Kirbas et al. in paragraph 26 at lines 5-8). Kirbas et al. otherwise mention little if anything regarding where the information may be obtained from, especially with respect to wireless network techniques. Thus, there is little suggestion or motivation to combine/modify the teachings of the references.

The present invention as defined by the claims is advantageous over the prior art of record in that *private* control may be provided for restricting *particular and specific* long distance calls for members of a group, separate from the governing wireless network, in a flexible and convenient manner for private entities such as companies and

corporations, with use of a host enterprise server which provides for data synchronization in connection with a personal information manager.

For these reasons alone, and in combination with the other stated reasons, the claims are allowable over the prior art of record. The Applicant respectfully requests the Examiner to withdraw the rejections and allow the claims as amended.

Again, the Applicant request entry of the Amendment and reconsideration of the claims. The Applicant respectfully submits that the application as amended is now in a condition suitable for allowance.

Thank you. Please feel free to contact the undersigned if it would expedite the prosecution of the present application.

Respectfully submitted,

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